

REMARKS

Applicants' attorney thanks the Examiner for the careful consideration given to this application. The matters raised in the Office action are discussed below.

Applicant's attorney acknowledges with appreciation the Examiner's indication that the rejection of the claims under 35 USC 112, the obviousness-double patenting rejection over application 10/597,498, the 35 USC 103 rejection over US patent 4,397,796 and 35 USC 103 rejection over claims 13 - 17 are overcome. The obviousness-double patenting rejection over application 10/558,879 is withdrawn since that application has been abandoned. Lastly, the certified translation of the priority document has overcome the 35 USC 103 rejection over claims 8-12.

It is requested that the Examiner reconsider and withdraw the rejection of claims 1 - 7 and 18 under 35 USC 103(a) as unpatentable over WO 2005/013293 in view of the foregoing amendment of the claims. Claim 1 has been specifically amended in response to the Examiner's comments in the first full paragraph at page 3 of the action. More particularly, the range of "a" has been amended to $1.5 \leq a \leq 2.1$ in claim 1 to conform to the "a" range in the Japanese priority application No. 2004-060245. (See claim 1 at page 1 of the translation of the priority document and pages 7, 11 and 12.) The upper and lower limits of the "a" range are supported in the first full paragraph at page 9 of the present specification, where it is stated: "The preferable range of "a" is $1.5 \leq a \leq 2.4$, and more preferably range of "a" $1.6 \leq a \leq 2.1$ ". In this disclosure, applicant teaches and supports the "a" range as now amended and thereby enjoys the benefit of the priority application. Accordingly, amended claim 1 has the March 4, 2004 effective filing date and WO 2005/013293 is removed as a reference. For the foregoing reasons, claims 1-4, 6 and 7 are in condition for allowance.

New claim 19 is supported by original claim 1 and present

claim 1. Claim 19 is similar to claim 18 and is allowable since it depends from allowed claim 8.

New claim 20 is supported by original claim 1 and original claim 5. Claim 20 is allowable since it depends from allowed claim 8.

New claim 21 is supported by original claim 2 and it is allowable since it depends indirectly from allowed claim 8.

New claim 22 is supported by original claim 4 and it is allowable since it depends indirectly from allowed claim 8.

For all of the foregoing reasons, claim 1-4, 6-12 and 19-22 are in condition for allowance and such action is requested.

If there are any fees required by this amendment, please charge the same to Deposit Account No. 16-0820, Order No. OBA-41173.

Respectfully submitted,

By: /Joseph J. Corso/
Joseph J. Corso, Reg. No. 25845

1801 East Ninth Street
Suite 1200
Cleveland, Ohio 44114-3108

(216) 579-1700

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